

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES ADMINISTRATION

[R05-417]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 1, Department of Health Services – Administration
Article and its heading: 4, Codes and Standards Referenced
Section numbers: R9-1-411 and R9-1-412 (The Department may add, delete, or modify Sections as necessary.)

- 2. The subject matter of the proposed rule:**
The purpose of this rulemaking is to clarify language and update the licensing requirements related to physical plant health and safety codes and standards in 9 A.A.C. 1, Article 4. In R9-1-412, the Arizona Department of Health Services (Department) incorporates by reference codes and standards for physical plants. The Department does this in R9-1-412 so that the Department can refer to R9-1-412 in its licensure rules throughout Title 9 rather than including separate incorporations by reference in each set of licensure rules.

In this rulemaking the Department will revise outdated language and update physical plant health and safety codes and standards incorporated by reference. All changes will conform to current rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify Sections as necessary.

The agency docket number, if applicable:

RE-021-05

- 3. A citation to all published notices relating to the proceeding:**

None

- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Mike Beagler
Program Manager, Office of Special Licensing

Address: Arizona Department of Health Services
Division of Licensing Services
Office of Special Licensing
150 N. 18th Ave., Suite 460
Phoenix, AZ 85007

Telephone: (602) 364-3046

Fax: (602) 364-4769

E-mail: beaghlm@azdhs.gov

or

Name: Kathleen Phillips, Rules Administrator

Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Suite 202
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

Notices of Rulemaking Docket Opening

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted at the addresses listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF PUBLIC SAFETY

ALCOHOL TESTING

[R05-418]

1. Title and its heading:

13, Public Safety

Chapter and its heading:

10, Department of Public Safety – Alcohol Testing

Article and its heading:

1, Determination of Alcohol Concentration

Section numbers:

R13-10-101 through R13-10-109 and Exhibits A through D, E-1 through E-6, F-1 through F-5, G-1 through G-6, H-1 through H-4 (The Department may add, delete, or modify additional Sections or Exhibits as necessary.)

2. The subject matter of the proposed rule:

The proposed rulemaking as a result of Ariz. Sess. Laws, 2003, Ch. 213 will establish new rules in Title 13, Public Safety, which will supersede current rules listed below in Title 9, Health Services. The order of Sections, Section headings and the style of the new rules are based on the current rules and appear similar. Changes to some of the text of the rules will be made and Exhibits will be updated. The Department may add, delete, or modify additional Sections and Exhibits as necessary.

Section numbers of current rules: R9-14-401 through R9-14-409 and Exhibits A through E, EE, F, G, H, I, II, J, K, KK, L, M, N, NN, O, OO, OOO, P, PP, P-EN, PP-EN, Q, QQ, Q-EN, QQ-EN, R, RR, S, T, U, UU, V, W, WW, WWW, WWW-EN, X, Y, Z, 1, 2, 2A, 3, 3A, 4, 5, 6, 6A

The agency docket number, if applicable:

SAB 05-001

3. A citation to all published notices relating to the proceeding:

Notice of Proposed Rulemaking: 11 A.A.R. 4904, November 25, 2005

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Robert D. Burris
Quality Manager, Scientific Analysis Bureau

Address: Arizona Department of Public Safety
2102 W. Encanto Blvd., Mail Drop 1150
Phoenix, AZ 85009

Phone: (602) 223-2733

Fax: (602) 223-2924

E-mail: RBurris@azdps.gov

Name: Todd A. Griffith
Superintendent, Scientific Analysis Bureau

Address: Arizona Department of Public Safety
2102 W. Encanto Blvd., Mail Drop 1150
Phoenix, AZ 85009

Phone: (602) 223-2494

Fax: (602) 223-2924

E-mail: TGriffith@azdps.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item #4. A public meeting will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

6. A timetable for agency decisions or other action on the proceeding, if known:

It is anticipated that the Notice of Proposed Rulemaking will be filed in early November 2005, with a notice of one public meeting. The close of public comment period is anticipated to be approximately December 27, 2005.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
WASTE MANAGEMENT**

[R05-419]

1. Title and its heading:

18, Environmental Quality

Chapter and its heading:

8, Department of Environmental Quality – Waste Management

Article and its heading:

2, Hazardous Wastes

Section numbers:

R18-8-260 through R18-8-280 (As part of this rulemaking, the Department may add, delete, or modify Sections as necessary.)

2. The subject matter of the proposed rule:

The Department of Environmental Quality is considering amendments to the state's hazardous waste rules that incorporate the text of federal regulations for the purpose of obtaining re-authorization of the state's hazardous waste management program by the United States Environmental Protection Agency. These latest amendments will cover changes in the federal regulations promulgated through at least June 30, 2005, and possibly later.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Mark Lewandowski
Address: 1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771- 2230
Fax: (602) 771- 4138
E-mail: Lewandowski.Mark@azdeq.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

To be published in the Notice of Proposed Rulemaking

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined